

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

ROBERT T. GARRARD, et al.,)
Plaintiffs,)
v.) Case No. 11-cv-00824-GPM-DGW
PIRELLI TIRE LLC, et al.,)
Defendants.)

ORDER

Pending before the Court is a Motion to Appoint Special Process Server filed by Plaintiffs Robert T. Garrard and William Jasper (Doc. 41). Plaintiffs seek to serve Defendant Pirelli Deutschland GMBH, an entity residing in Germany.

Federal Rule of Civil Procedure 4(f)(1) provides that service of process upon entities in foreign countries may be effected “by any internationally agreed means of service that is reasonably calculated to give notice, such as those authorized by the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents.” “[C]ompliance with the [Hague] Convention is mandatory in all cases to which it applies. *Volkswagenwerk Aktiengesellschaft v. Schlunk*, 486 U.S. 694, 705 (1988). Germany is a signatory to the Hague Convention on the Service Abroad of Judicial and Extra-Judicial Documents in Civil or Commercial Matters, Nov. 15, 1965, 20 U.S.T. 361, T.I.A.S. No 6638.

Accordingly, the Court hereby specially appoints APS International, Ltd. to serve process on Defendant Pirelli Deutschland GMBH pursuant to Federal Rule of Civil Procedure 4 and the Hague Convention, Service Abroad of Judicial and Extrajudicial Documents.

IT IS SO ORDERED.

DATED: January 23, 2012


DONALD G. WILKERSON
United States Magistrate Judge